

Docket No.: N3236.0042/P042
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Reiji Fujikawa

Application No.: Not Yet Known

Group Art Unit: N/A

Filed: Concurrently herewith

Examiner: Not Yet Assigned

For: POINTING DEVICE WITH A
CONTROLLER FOR MONITORING A
PROTOCOL SELECTOR SIGNAL
DERIVED FROM A COMPUTER TO
SELECT ONE OF A COMPATIBILITY
FUNCTION AND AN ADDITIONAL
FUNCTION

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

This IDS is being filed before the First Office Action¹.

This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

This IDS is being filed after the issuance of a Final Office Action but before the payment of the Final Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

Statement under 37 CFR § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

² The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

³ The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

If checked, the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

A legible copy⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.

With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in §1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:

A translation of the relevant portions of the non-English language information⁵;

A statement explaining the relevant portions of the non-English language information;

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) *requires* that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

- A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or
- This information is contained in the specification of the present application.

In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. 09/970,512, filed October 4, 2001, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is “material” pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an “X”, “Y”, or “A” indication on a search report. MPEP §609 III A(3).

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: September 25, 2003

Respectfully submitted,

By 
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Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	Divisional of 09/970,512
				Filing Date	Concurrently herewith
				First Named Inventor	Reiji Fujikawa
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	N3236.0042/P042

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA		US-5,063,376	11/1991	Chang	
AB		US-5,298,919	3/1994	Chang	
AC		US-5,339,095	8/1994	Redford	
AD		US-5,414,422	5/1995	Allen	
AE		US-5,457,480	10/1995	White	
AF		US-5,633,489	5/1997	Dvorkis, et al.	
AG		US-5,659,335	8/1997	Partridge III	
AH		US-5,661,505	8/1997	Livits	
AI		US-5,701,175	12/1997	Kostizak, et al.	
AJ		US-5,736,978	4/1998	Hasser, et al.	
AK		US-5,805,144	9/1998	Scholder et al.	
AL		US-5,814,804	9/1998	Kostizak	
AM		US-5,847,695	12/1998	Duncan et al.	
AN		US-5,912,660	6/1999	Gouzman, et al.	
AO		US-5,936,555	8/1999	Zagnoev	
AP		US-5,949,401	9/1999	Kazarian	
AQ		US-6,011,541	1/2000	Klein	
AR		US-6,011,542	1/2000	Durrani, et al.	
AS		US-6,036,094	3/2000	Goldman, et al.	
AT		US-6,044,428	3/2000	Rayabhari	
AU		US-6,055,592	4/2000	Smith	
AV		US-6,088,022	7/2000	Rakoski	
AW		US-6,100,875	8/2000	Goodman, et al.	
AX		US-6,166,721	12/2000	Kuroiwa et al.	

Substitute for form 1449A/B/PTO				Compl. te if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	Divisional of 09/970,512
<i>(Use as many sheets as necessary)</i>				Filing Date	Concurrently herewith
				First Named Inventor	Reiji Fujikawa
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	
N3236.0042/P042					

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
BA	3-98109	4/23/1991	Japan			
BB	7311640	11/1995	Japan			
BC	63-127323	5/1998	Japan			
BD	1-248256	10/1989	Japan			
BE	3-50653	3/1991	Japan			
BF	3-208115	9/1991	Japan			
BG	8-6691	1/1996	Japan			
BH	8-287006	11/1996	Japan			
BI	9-259079	10/1997	Japan			
BJ	10-177445	6/1998	Japan			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.